



armstrong rigg
planning

STATEMENT OF COMMON GROUND

**Examination of the King's Lynn and West Norfolk Local Plan Site Allocations and Development
Management Policies**

Between:

**Pigeon Investment Management Ltd on behalf of the Le Strange Estate
(Representor Number 1210)**

and

Borough Council of King's Lynn and West Norfolk

In respect of:

**Policies F2.3 and F2.5 Hunstanton – Land south of Hunstanton Commercial Park
Policy F2.2 Hunstanton – Land to the east of Cromer Road**

Date:

July 2015

Document Reference:

Reference: GA/EW/00815/S0001

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A. Statement of Common Ground

1.0 INTRODUCTION

- 1.1 This Statement of Common Ground has been prepared jointly by Pigeon Investment Management Ltd (site promoters) on behalf of the Le Strange Estate and the Borough Council of King's Lynn and West Norfolk for the purposes of the Examination of the Site Allocations and Development Management Policies.
- 1.2 The Statement provides the Inspector and other interested parties with confirmation of the areas of agreement and dispute in relation to Policy F2.2 (Hunstanton – Land to the east of Cromer Road) and Policies F2.3 and F2.5 (Hunstanton – Land South of Hunstanton Commercial Park) of the Plan as shown on the maps below:



- 1.3 Sites F2.3 and F2.5 have been identified for allocation by the Council since the Issues and Options stage (September 2011). Both allocations were carried through to the Preferred Options stage (July 2013) with site F2.3 identified for '100 residential units comprising a mixture of market housing, affordable housing and housing with care.' The Pre-Submission Version (January 2015) reduced this to '50 residential units comprising a mixture of market housing, affordable housing and housing with care.'

- 1.4 Site F2.2 has been identified for allocation by the Council since the Issues and Options stage for 120 dwellings.
- 1.5 Representations were made by Pigeon Investment Management Ltd to the Pre-Submission Plan on behalf of the Le Strange Estate in January 2015. In respect of Policy F2.3, the proposed allocation was supported but with a modification to the wording sought to refer to 'at least' 50 dwellings to provide flexibility to allow a design led approach for development schemes coming forward.
- 1.6 With regard to Policy F2.5, the allocation was supported but a modification to the policy wording sought to make specific reference to a care home being suitable to meet the employment requirement in order to be consistent with the supporting text in the Plan. This reflects the fact that Hunstanton Town Council has promoted the site for such a use and the Borough Council has confirmed that this would be acceptable.
- 1.7 In respect of Site F2.2, the proposed allocation was supported but with a modification to the wording sought to refer to 'at least' 120 dwellings to provide flexibility to enable the optimum mix of housing to be delivered.
- 1.8 In light of the above, it was confirmed that the current wording of the policies is therefore unclear and requires refinement through the Examination process.
- 1.9 Pigeon Investment Management Ltd are preparing an outline planning application to be submitted later in the summer following a period of public engagement and intend that their Illustrative Masterplan at **Appendix 1** will form the basis of this. The purpose of the planning application is to support and better inform the emerging policies and this provides the Inspector with evidence in regard to the deliverability of the allocations.
- 1.10 The Borough Council proposed modification at Statement on Issue 10 Hunstanton provides the Inspector with details of the modifications to the policy wording they wish to see.
- 1.11 **However, it has not been possible to fully agree all elements of the emerging policy wording and as such this Statement confirms the areas of dispute and provides the context for the further detailed discussion to take place at the relevant Hearing Session. This Paper is therefore divided into two parts, A) the agreed provisions, and B) the provisions NOT agreed.**

2.0 POLICY F2.2

- 2.1 The parties agree on all matters in relation to Policy F2.2.
- 2.2 The Policy wording has been proposed by the Borough Council to be modified post submission to refer to 'approximately' 120 dwellings to provide more flexibility to enable the optimum mix of housing to be brought forward when detailed proposals for the site are formulated at the planning application stage
- 2.3 A Heritage Assessment in respect of the site has been prepared and is attached at **Appendix 4**.

Policy F2.2 Hunstanton - Land to the east of Cromer Road

Land amounting to 6.2 hectares is allocated for residential development of **approximately** 120 dwellings. Development will be subject to compliance with all of the following:

- 1.

3.0 POLICY F2.3

3.1 The following matters are agreed between the two parties:

- Development on the site would accord with the general direction of future growth to the east of the town as identified in the adopted Core Strategy (2011);
- The site represents an inherently sustainable location for additional development in Hunstanton due to the close proximity to the town centre and local services;
- The allocation is justified in that it represents an important opportunity to deliver housing with care for which there is a significant local need and a care home (providing employment) as well as general market housing (with affordable housing) to contribute to the Core Strategy requirement for Hunstanton to accommodate a minimum of 220 new dwellings;
- The Policy is worded sufficiently to ensure that proposals on the site have regard to and minimise the impact on the significance of designated heritage assets (the Grade II* Listed Smithdon High School and Gym and Grade II* Listed and scheduled remains of St Andrew's Chapel) and the Norfolk Coast AONB and in terms of the requirement for screening to the south and east of the site. A Heritage Assessment has been produced and is attached at **Appendix 3**.
- An Archaeological Field Evaluation will be required;
- Adequate vehicular and pedestrian access onto the highway network will be required;
- Sustainable Urban Drainage measures will be required to be integrated with the design of development;
- Enhanced informal recreational provision on, or in the vicinity of the site must be provided to limit additional recreational pressure on Habitats Regulations protected nature conservation sites in the wider area; particularly in relation to dog walking;
- Outdoor play/recreation space will be required at 2.4ha per 1,000 persons;
- Financial contribution will be sought which are necessary to support the development.

B. Areas NOT agreed as Common Ground

1.0 PROPOSED CHANGES TO POLICY F2.3

- 1.1 The following wording for Policy F2.3 is now proposed by the Council. Those elements which are shown **emboldened** are not agreed by Pigeon Investment Management Ltd and are anticipated to be the subject of further detailed discussion at the relevant Hearing Session.

Policy F2.3 Hunstanton - Land south of Hunstanton Commercial Park

Land south of Hunstanton Commercial Park ~~land~~ amounting to 5 hectares, as identified on the Policies Map, is allocated ~~for 50 residential units comprising a mixture of:~~

- ~~market housing;~~
- ~~affordable housing; and~~
- ~~housing with care.~~

principally for housing with care, **with a supplementary allocation of** general purpose market housing to aid viability.¹

The mixed uses comprising –

- **At least** 60 housing with care units;
- Approximately **50** general housing units;
- Affordable housing requirements as per policy CS09 of the Core Strategy. This will apply across the whole site.²

Development of the site must be as part of a comprehensive scheme, which must be shown to bring forward the housing with care units. The final housing numbers are to be determined at the planning application stage to be informed by a design-led master planned approach.

The proximity of the employment allocation F2.5, and the potential for a care home on part (or all) of that allocation could support an interdependency between this and the housing with care element.

Development will be subject to compliance with the following:

-

¹ Housing with care is purpose built self-contained housing with facilities and services such as 24/7 on site care and facilities, that assists residents to live independently. **There is an expectation that** in line with good practice the scheme **will** include the provision of community facilities ie restaurant, retail (hairdressers/corner shop) and opportunities for social interaction.

² The affordable housing requirement will apply to the housing with care and the general purpose market housing, all dwellings that fall within the C3 use class of the Town and Country Planning (Use Classes) Order 1987).

Text to go into the justification-

The number of general housing units could increase where the scale and quality of the Housing with Care proposal is considered to contribute significantly to meeting identified need and any communal/ancillary service proposed would enhance the existing community.

The following sets out the wording that Pigeon Investment Management Ltd would be willing to accept:

Policy F2.3 Hunstanton - Land south of Hunstanton Commercial Park

Land south of Hunstanton Commercial Park Land amounting to 5 hectares, as identified on the Policies Map, is allocated for 50 residential units comprising a mixture of:

- market housing;
- affordable housing; and
- housing with care.

~~principally~~ for housing with care, ~~with a supplementary allocation of~~ **and** general purpose market housing to aid viability. ³

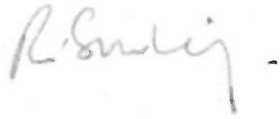
The scheme will comprise –

- ~~At least~~ **Approximately** 60 housing with care units;
- Approximately **60** general **purpose** housing units;
- Affordable housing requirements as per policy CS09 of the Core Strategy. This will apply across the whole site.⁴
- ~~Development of the site must be as part of a comprehensive scheme, which must be shown to bring forward the housing with care units.~~ The final housing numbers are to be determined at the planning application stage to be informed by a design-led master-planned approach. **The allocation site will be planned in a comprehensive manner, which will include both the housing with care units and the general purpose housing.**

The proximity of the employment allocation F2.5, and the potential for a care home on part (or all of that) allocation could support an interdependency between this and the housing with care element.

³ Housing with care is purpose built self-contained housing with facilities and services such as 24/7 on site care and facilities, that assists residents to live independently. ~~There is an expectation that~~ **In** line with good practice the scheme will **may therefore** include the provision of community facilities ie restaurant, retail (hairdressers/corner shop) and opportunities for social interaction.

⁴ The **requirement for** affordable housing requirement will apply to **both** the housing with care and the general purpose market housing, **(i.e.** all dwellings that fall within the C3 use class of the Town and Country Planning (Use Classes) Order 1987). **For the avoidance of doubt the affordable housing will be provided either in the form of general needs housing or housing with care (or a combination of the two) provided the overall provision is in accordance with policy CS09 of the Core Strategy.**



Signed by:

On behalf of: **Pigeon Investment Management Ltd on behalf of the Le Strange Estate**

Date: **2nd July 2015**



Signed by:

On behalf of: **King's Lynn and West Norfolk Borough Council**

Date: **3/7/2015**

Development will be subject to compliance with the following:

-

Text to go into the justification-

The number of general housing units could increase where the scale and quality of the Housing with Care proposal is considered to contribute significantly to meeting identified need and any communal/ancillary service proposed would enhance the existing community.

2.0 PROPOSED CHANGES TO POLICY F2.5

- 2.1 Minor grammatical modifications have been made to the Policy wording post submission. The inclusion of the wording shown **emboldened** sought by Pigeon Investment Management Ltd is not at this stage agreed by the Council and is anticipated to be the subject of further detailed discussion at the relevant Hearing Session.

Policy F2.5 Hunstanton - Land south of Hunstanton Commercial Park

Land south of Hunstanton Commercial Park ~~Land~~ amounting to 1 hectare ~~as is and~~ identified on the Policies Map is allocated for employment use **(which could be met by the provision of a care home on the site or elsewhere within site F2.3 alongside housing with care as part of a care home complex)** subject to the following:

- 1.

APPENDIX 1

Pigeon Investment Management Ltd ILLUSTRATIVE MASTERPLAN for sites F2.3 and F2.5

NOTES

1. The client has provided the following information for the site. The information is provided for your information only and will be subject to verification by other sources.

2. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

3. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

4. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

5. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

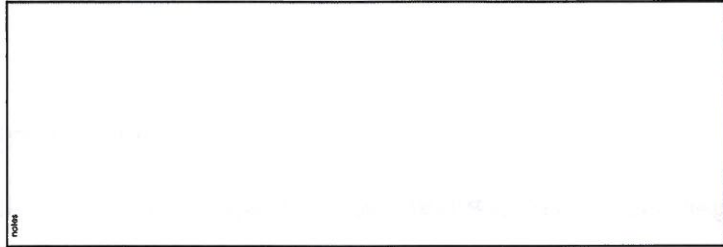
6. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

7. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

8. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

9. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.

10. The site is located in an area of high ground water table. The ground water table is shown on the site plan. The ground water table is shown on the site plan. The ground water table is shown on the site plan.



NO.	REV.	DATE	BY	CHKD.
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Client: Pigeon Investment Management
 Site: Proposed Residential Development
 PARCELS F2.3 & F2.5, CROMER ROAD
 HUNTINGTON

Drawing title: Illustrative Site Layout

Drawn: SC
 Checked: SC
 Date: February 2015

Code: @ A1
 Drawing Number: 015-004-001
 Revision: B

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LEGEND

* SINGLE STOREY BUILDING
 * TWO AND A HALF STOREY BUILDING



Scale: 1:500

North Arrow

0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

APPENDIX 2

NOTE OF POST SUBMISSION DISCUSSIONS AND SUMMARY OF WORK UNDERTAKEN BY Pigeon Investment Management Ltd IN RESPECT OF F2.3 AND F2.5

1. Post Submission discussions

The Council and parties representing the Le Strange Estate have since met several times specifically in regard to Policies F2.3 and F2.5 to discuss the Council's aspirations for the sites, the wording of the policies and the content of an emerging scheme comprising a care home, housing with care and market housing. This Statement of Common Ground is as a result of those detailed discussions.

An illustrative Masterplan (attached at **Appendix 1**) has been prepared in collaboration with the Council as part of this process (but has not been agreed by them). Pigeon Investment Management Ltd intend that the Plan will form the basis of an outline planning application to be submitted later in the summer following a period of public engagement. The purpose of the planning application is to support and better inform the emerging policies and to provide comfort to the Inspector with regard to the deliverability of the allocations.

During the course of discussions the Council confirmed the following matters:

- The principal intention of Policy F2.3 is to deliver a care home and housing with care scheme to be cross-subsidised by general market housing with affordable housing;
- Notwithstanding its current wording, Policy F2.3 relates to 50 general market dwellings plus housing with care;
- There is scope to develop the site far more intensively than suggested in the Policy as drafted. Reference was made to the mix and quantum of development proposed in an appeal dismissed in February 2015 at School Road, Heacham (APP/V2635/A/14/2221650); and
- The employment requirement of Policy F2.5 could be appropriately met by the provision of a care home dependent on the precise form and Use Class.

2. Summary of further work undertaken by Pigeon Investment Management Ltd

*The need for **elderly person's accommodation** was established in the recent appeal decision at School Road, Heacham (APP/V2635/A/14/2221650) which confirmed at paragraph 6 'There is no dispute between the main parties that there is at present a significant need for elderly persons' residential care places, and for housing with care for elderly persons, in the Borough' (Paragraph 6)*

*The submitted Masterplan shows the provision of a **high quality landscaping scheme** to include the retention and reinforcement of established hedgerow and the planting of new shelter belts to the north, east and southern boundaries. A Landscape Visual Impact Appraisal has been carried out and will be submitted in support of the forthcoming planning application. Furthermore, a Heritage Assessment has been produced and shared with the Council. The Assessment is attached at **Appendix 1**. It concludes that the principle of development in this location has been established by the Core Strategy and that development on the sites is able to take place without causing material harm to the setting of adjacent heritage assets.*

*A **geophysical survey** has been carried out and the results submitted to Norfolk Historic Environment Service (NHES). The geophysical survey plot identifies that buried archaeological features of unknown date, form and significance are present on the site, although the results are limited to certain areas. NHES has therefore requested further archaeological investigation of the site which it confirms can be carried out as part of a programme of archaeological work secured by appropriate planning conditions*

*The Masterplan illustrates the provision of a **safe vehicular and pedestrian access** from the A149 and new crossing points. Norfolk County Council as Highways Authority have been consulted on the emerging proposals and have requested the submission of a Transport Statement in support of the planning application to assess the links for sustainable modes of transport to the town centre and local facilities. It was confirmed that other than crossing points to provide a safe means of getting to the town, there is unlikely to be a requirement for any other off-site highway improvements*

*The Masterplan identifies provision of swales as a **sustainable drainage system** within open space areas to the site frontage. Consultants have been instructed and the outline planning application will be accompanied by a Flood Risk and Drainage Assessment*

*The Masterplan makes **provision for a dog walking circuit** and consultants have been instructed to prepare an Ecology Report and Site Specific Habitats Regulations Assessment which will accompany the outline planning application*

*The Masterplan identifies that the **outdoor play/recreation space** will be required at 2.4ha per 1,000 persons standard can be met on the site*

*Norfolk County Council have commented on the **potential education, fire service, library and environmental contributions** arising from the emerging proposals which reflect the pooling restrictions set out in Reg 123 of the Community Infrastructure Levy Regulations (2010 as amended)*

APPENDIX 3

POLICY F2.3 – HERITAGE ASSESSMENT

HERITAGE STATEMENT

LAND SOUTH OF
HUNSTANTON
COMMERCIAL PARK,

May 2015





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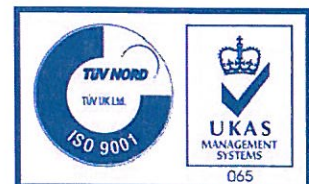
Date: 14 May 2015

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Director

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Appendices

1. Relevant heritage legislation and planning policy context

I.0 INTRODUCTION

1.1. Beacon Planning Ltd. has been appointed by Pigeon Investment Management Ltd. to prepare a Heritage Appraisal to assess the impacts of the proposed development at land south of Hunstanton Commercial Park, Hunstanton, Norfolk. The application site is located on the eastern side of the A149, and is being promoted through the local plan process as sites F2.3 and F2.5 (Site Allocations & Development Management Policies Plan).

1.2. This report follows an independent assessment of the setting of the nearby heritage assets and an assessment of the development proposals on this heritage significance. It has been prepared to support both the land allocation in the emerging local plan, as well as an outline application for planning permission.

1.3. This report satisfies the requirement of paragraph 128 of the National Planning Policy Framework (NPPF) which states that applicants must describe the significance of any heritage assets affected by the proposed development. It is also intended to aid the local planning authority to discharge their duty to pay special regard to the desirability of preserving the setting of heritage assets as required by virtue of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

1.4. A site visit was made on 13 April 2015.